

REMARKS

Applicants respectfully request reconsideration of the rejection of the claims in view of the remarks set forth below. Claims 1-5 remain in the application. Claims 1-3 and 5 are amended. Claim 4 remains unchanged.

Claim Objections

Claim 1 is objected to because of informalities. More specifically, claim 1 is objected to for the recitation of an "n". In response to the examiner's remarks, the applicants have amended claim 1 as suggested by the examiner in order to address the objection. In addition, claims 1-3 and 5 are further amended for clarification. No new matter is added.

35 U.S.C. §103

Claims 1-5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Feng et al. (US 7,099,380) in view of Provence (US 4,885,757). The applicants respectfully traverse the rejection and propose that, for at least the reasons discussed below, amended claims 1-5 are patentably distinguishable over the teachings of the suggested combination of references and submit the following arguments for consideration by the examiner.

Amended claim 1 recites a method for selecting a transmission channel from several transmission channels of a receiver of orthogonal frequency division multiplexing (OFDM) radio signals with antenna diversity.

In contrast to amended claim 1, Feng does not appear to disclose any OFDM method for selection of a transmission channel of an OFDM receiver. Rather, Feng appears to disclose a direct sequence spread spectrum modulation (see e.g., column 5 lines 57-65). In such a system, a narrow bandwidth signal is spread by a multiplication of a single spreading code (e.g., a Barker code). This corresponds to a simple basic mathematical operation and does not correspond to a multiple carrier signal. Therefore, in Feng, the transmitted radio signal is a single carrier signal. By contrast, the OFDM signal of amended claim 1 has a quite

different spectrum and is multicarrier. As a result, Feng fails to teach the method for selecting a transmission channel from several transmission channels of a receiver of orthogonal frequency division multiplexing (OFDM) radio signals with antenna diversity of amended claim 1.

Provence appears to be directed towards base-band receivers (see column 3, lines 20 -27: "From the foregoing, it can be seen that those skilled in the art have recognized the importance of base-banded digital transmission systems...") and more specifically to wired networks (see column 1, lines 15-46: "telephone lines"). Thus, Provence appears to fail to disclose any radio receiver let alone an OFDM receiver. Thus, applicants respectfully submit that those skilled in the art would not have considered Provence since Provence does not appear to be in the same technical field as the applicants' claimed invention.

Furthermore, Provence, similarly to Feng, also appears to fail to disclose any OFDM method for selection of a transmission channel of an OFDM receiver. Indeed, Provence appears to disclose the use of a MLSE adaptive receiver 52 that is a single receiver and not an OFDM receiver (see column 14, lines 15-22). As a result, Provence fails to teach the method for selecting a transmission channel from several transmission channels of a receiver of orthogonal frequency division multiplexing (OFDM) radio signals with antenna diversity of amended claim 1.

Therefore, Feng and Provence taken alone or together do not appear to teach the method for selecting a transmission channel from several transmission channels of a receiver of orthogonal frequency division multiplexing (OFDM) radio signals with antenna diversity of amended claim 1.

In view of the above, applicants submit that none of the cited references, either singly or in combination, teaches or suggests each and every limitation of amended claim 1. As a result of the preceding arguments, it is respectfully proposed that the rejection for obviousness under 35 U.S.C. § 103(a) is overcome and notice to that effect is earnestly solicited.

Dependent claims 2-4, being dependent on and further limiting amended independent claim 1, should be allowable for that reason, as well as for the additional recitations that they contain. Therefore, it is respectfully proposed that claims 2-4 now stand in condition for allowance and notice to that effect is earnestly solicited.

Amended independent claim 5 includes elements similar to the elements of amended independent claim 1 and should therefore be allowable for the same reasons discussed above as well as for the additional recitations contained therein. Therefore, it is respectfully proposed that the rejection of independent claim 5 under 35 U.S.C. § 103(a) is overcome in accordance with the above remarks and notice to that effect is earnestly solicited.

Conclusion

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicants' attorney at (818) 260-3727, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No additional fee, other than the fee discussed above, is believed due in regard to the present amendment. However, if an additional fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,
Vincent Demoulin et al.

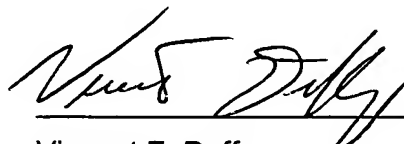

By: Vincent E. Duffy, Attorney
Registration No. 39,964
818-260-3727

Thomson Licensing LLC.
Patent Operation
Two Independence Way, PO Box 5312
Princeton, NJ 08543-5312
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I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

5/23/08
Date


Vincent E. Duffy

